

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4968 of 2021

Shiv Kumar son of Late Hussaini Paswan Resident of Village- Amarghatta,
P.S.- Dumara, District- Sitamarhi

... .. Petitioner/s

Versus

1. THE UNION OF INDIA through the Post Master General, Department of Posts, Northern Region, Muzaffarpur, Bihar
2. The Superintendent of Post Offices, Sitamarhi Division, Sitamarhi.
3. The Inspector of Posts, East Sub Division, Sitamarhi.
4. The Inspector of Posts, West Sub Division, Sitamarhi
5. The Postmaster Sitamarhi, HO, Sitamarhi

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ambrish Kumar Jha
	:	Smt. Shashi Priya Pathak
For the Respondent/s	:	Dr. K. N. Singh (Asg)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 02-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the following relief/reliefs:

“(i) Issuance of an order, direction or writ in the nature of certiorari, to quash the Memo No. A-Bedaul/Rule-10/2017 dated 19.09.2020 issued by the office of the Superintendent of Post Office Sitamarhi Division, Sitamarhi, whereby and where under the Superintendent of Post Office (respondent – 2), awarded the punishment of removal from service to the Petitioner from the post of Gramin Dak Sevak, BPM, Bedaul, Branch Office, Sitamarhi Division.

(ii) Issuance of an order /direction or writ in the nature of Mandamus directing the respondents, after setting aside the punishment/ removal order dated



19.09.2020, to reinstate the petitioner on his post of Gramin Dak Sevak, BPM, Bedaul with all consequential benefits of this service.

(iii) Issuance of an order, direction or writ, in the nature of mandamus directing the respondents, after allowing to join the petitioner on his post, to pay his arrears of salary including the period of suspension.

(iv) Any other relief/reliefs to which the petitioner may found entitled to in the fact and circumstances of this case.”

3. The petitioner’s grievance is with the Postal Department, therefore, the present petition is not maintainable as the petitioner has remedy before the jurisdictional Central Administrative Tribunal in terms of Apex Court decisions in the case of ***L. Chandra Kumar V. Union of India & Others*** reported in (1997) 3 SCC 261 read with the case of ***S.P. Sampath Kumar Vs. Union of India*** reported in (1987) 1 SCC 124.

4. Accordingly, the present petition stands disposed off, reserving liberty to the petitioner to invoke appropriate jurisdictional forum.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

